

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND Senate Committee Substitute for Senate Bill No. 804, Page 1, In the Title, Line 6, by  
2 deleting the phrase "sexual trafficking" and inserting in lieu thereof the phrase "judicial  
3 proceedings"; and  
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5 Further amend said bill and page, Section A, Line 6, by inserting after all of said section and line  
6 the following:  
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8 "272.030. If any horses, cattle or other stock shall break over or through any lawful fence,  
9 as defined in section 272.020, and by so doing obtain access to, or do trespass upon, the premises of  
10 another, the owner of such animal shall[, for the first trespass, make reparation to the party injured  
11 for the true value of the damages sustained, to be recovered with costs before a circuit or associate  
12 circuit judge, and for any subsequent trespass the party injured may put up said animal or animals  
13 and take good care of the same and immediately notify the owner, who shall pay to taker-up the  
14 amount of the damages sustained, and such compensation as shall be reasonable for the taking up  
15 and keeping of such animals, before he shall be allowed to remove the same, and if the owner and  
16 taker-up cannot agree upon the amount of the damages and compensation, either party may institute  
17 an action in circuit court as in other civil cases. If the owner recover, he shall recover his costs and  
18 any damages he may have sustained, and the court shall issue an order requiring the taker-up to  
19 deliver to him the animals. If the taker-up recover, the judgment shall be a lien upon the animals  
20 taken up, and in addition to a general judgment and execution, he shall have a special execution  
21 against such animals to pay the judgment rendered, and costs] be liable for any damages sustained if  
22 the owner of the trespassing horses, cattle, or other stock was negligent.  
23

24 272.230. If any horses, cattle or other stock trespass upon the premises of another, the  
25 owner of the animal shall [for the first trespass make reparation to the party injured for the true  
26 value of the damages sustained, to be recovered with costs before an associate circuit judge, or in  
27 any court of competent jurisdiction, and for any subsequent trespass the party injured may put up  
28 the animal or animals and take good care of them and immediately notify the owner, who shall pay  
29 to the taker-up the amount of the damages sustained, and such compensation as shall be reasonable  
30 for the taking up and keeping of the animals, before he shall be allowed to remove them, and if the  
31 owner and taker-up cannot agree upon the amount of the damages and compensation either party  
32 may make complaint to an associate circuit judge of the county, setting forth the fact of the  
33 disagreement, and the associate circuit judge shall be possessed of the cause, and shall issue a  
34 summons to the adverse party and proceed with the cause as in other civil cases. If the owner  
35 recovers, he shall recover his costs and any damages he may have sustained, and the associate  
36 circuit judge shall issue an order requiring the taker-up to deliver to him the animals. If the taker-up  
recover, the judgment shall be a lien upon the animals taken up, and, in addition to a general

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

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1 judgment and execution, he shall have a special execution against the animals to pay the judgment  
2 rendered and costs] be liable for any damages sustained if the owner of the trespassing horses,  
3 cattle, or other stock was negligent."; and  
4

5 Further amend said bill by amending the title, enacting clause, and intersectional references  
6 accordingly.